

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

NO. MJ10-271

Plaintiff,

V.

DETENTION ORDER

JONATHAN TAVARES,

Defendant.

Offense charged:

Count 1: Conspiracy to Distribute Oxycodone, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) and 846

Count 2-4: Distribution of Oxycodone, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 18 U.S.C. § 2

Date of Detention Hearing: June 29, 2010

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this case.

DETENTION ORDER

DEFINITION OF
18 U.S.C. § 3142(j)

- 1 2. Defendant has on-going substance abuse problems.
- 2 3. Defendant has a substantial history of failures to appear.
- 3 4. Defendant has a history of failing to abide by the terms of supervision and court
- 4 orders, indicating an unwillingness or inability to comply with supervision.
- 5 5. Three firearms and a large amount of ammunition seized from defendant's
- 6 residence at the time of arrest. In addition, a magazine for an assault rifle was
- 7 also found.
- 8 6. Defendant made statements of his intent to flee if pulled over by police.
- 9 7. There are no conditions or combination of conditions other than detention that
- 10 will reasonably assure the appearance of defendant as required or ensure the
- 11 safety of the community.

12 IT IS THEREFORE ORDERED:

- 13 (1) Defendant shall be detained and shall be committed to the custody of the
- 14 Attorney General for confinement in a correction facility separate, to the extent
- 15 practicable, from persons awaiting or serving sentences or being held in custody
- 16 pending appeal;
- 17 (2) Defendant shall be afforded reasonable opportunity for private consultation with
- 18 counsel;
- 19 (3) On order of a court of the United States or on request of an attorney for the
- 20 government, the person in charge of the corrections facility in which defendant
- 21 is confined shall deliver the defendant to a United States Marshal for the
- 22 purpose of an appearance in connection with a court proceeding; and

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26 DETENTION ORDER

18 U.S.C. § 3142(i)

Page 2

1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 DATED this 29th day of June, 2010.

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7 JAMES P. DONOHUE
United States Magistrate Judge

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